

Panaji, 18th May, 2017 (Vaisakha 28, 1939)

SERIES II No. 7

# OFFICIAL GAZETTE



# GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

Note:- There are five Extraordinary issues to the Official Gazette, Series II No. 6 dated 11-05-2017 as follows:—

- (1) Extraordinary dated 16-05-2017 from pages 859 to 864 regarding Notification from Department of Panchayati Raj & Community Development.
- (2) Extraordinary (No. 2) dated 16-05-2017 from pages 865 to 874 regarding Order, Notice in Form No. 2 & Notification from Department of Elections.
- (3) Extraordinary (No. 3) dated 16-05-2017 from pages 875 to 972 regarding Corrigendum from Department of Panchayati Raj & Community Development.
- (4) Extraordinary (No. 4) dated 17-05-2017 from pages 973 to 974 regarding Notification & Corrigendums from Department of Elections & Department of Panchayati Raj & Community Development.
- (5) Extraordinary (No. 5) dated 17-05-2017 from pages 975 to 976 regarding Notification from Goa Legislature Secretariat.

## GOVERNMENT OF GOA

### Department of Co-operation

Office of the Registrar of Co-operative Societies

#### Notification

No. 6-13-2011/EST/RCS/Part I/502

The office of the Assistant Registrar of Co-operative Societies, Ponda Zone, Ponda-Goa have been shifted from 2nd floor, Government Office Building Complex, Ponda to "Sahakar Bhavan", near Goa State Co-op. Milk Producers Union, Curti, Ponda, Goa w.e.f. 2-5-2017.

Gurudas P. Pilarnekar, Registrar & ex officio Joint Secretary (Co-op. Societies).

Panaji, 5th May, 2017.

## Department of Education, Art & Culture

Directorate of Education

Vocational Education Section

#### Order

No. DE/VOC/373/2016-17/Part VI/26

Sanction of the Government is hereby conveyed for regularization of the services of below mentioned full time vocational teachers who were on contract basis in accordance with Office Memorandum No. DE/VOC/373/2016-17/PVII/395 dated 22-11-2016. The regularisation shall be effective from the date of issue of the said Office Memorandum.

Sr. No.	Name of full time teacher on contract basis	Pay Scale	Name of the Hr. Sec. School
1	2	3	4
1.	Mrs. Bindiya P. Volvotkar, B. Sc. (Home Science)	Rs. 9,300-34,800+G. P 4,200/-	Damodar Hr. Sec. School, Gudi-Paroda, Quepem-Goa.

1	2	3	4
2.	Ms. Melissa D'Souza, Dip. in Hotel Mgt. & Catering Tech.	Rs. 9,300-34,800+G. P 4,600/-	Damodar Hr. Sec. School, Gudi-Paroda, Quepem-Goa.
3.	Ms. Sima Pereira, B. Sc. (H.I.A.) M. Sc. in Hospital & Health Inf. Adm.	Rs. 9,300-34,800+G. P 4,800/-	
4.	Mrs. Freda D'Souza, B. Sc., M. Sc. (Physics), B. Ed. (IGNOU)	Rs. 9,300-34,800+G. P 4,800/-	

By order and in the name of the Governor of Goa.

G. P. Bhat, Director & ex officio Joint Secretary (Education).

Porvorim, 2nd May, 2017.

#### Order

No. DE/VOC/373/2016-17/Part VI/27

Sanction of the Government is hereby conveyed for regularization of the services of below mentioned full time vocational teachers who were on contract basis in accordance with Office Memorandum No. DE/VOC/373/2016-17/PVII/395 dated 22-11-2016. The regularisation shall be effective from the date of issue of the said Office Memorandum.

Sr. No.	Name of full time teacher on contract basis	Pay Scale	Name of the Hr. Sec. School
1.	Anthony Edilbert D'Souza, B. Sc. (Hotel Mgt. Catering Tech. & Tourism) M. Sc. (Tourism & Hosp. Mgt.)	Rs. 9,300-34,800+G. P 4,800/-	Gauncar Hr. Sec. School, Raia, Salcete-Goa.

By order and in the name of the Governor of Goa.

G. P. Bhat, Director & ex officio Joint Secretary (Education).

Porvorim, 2nd May, 2017.

#### Order

No. DE/VOC/373/2016-17/Part VI/28

Sanction of the Government is hereby conveyed for regularization of the services of below mentioned full time vocational teachers who were on contract basis in accordance with Office Memorandum No. DE/VOC/373/2016-17/PVII/395 dated 22-11-2016. The regularisation shall be effective from the date of issue of the said Office Memorandum.

Sr. No.	Name of full time teacher on contract basis	Pay Scale	Name of the Hr. Sec. School
1.	Mrs. Dalima Leitao, B. Sc. (Home Science) M. Sc. (Fashion Technology)	Rs. 9,300-34,800+G. P 4,800/-	Jawaharlal Nehru Hr. Sec. School, Fatorda, Margao-Goa.

1	2	3	4
2.	Miss Sushma Bhatker, B. Sc. (Home Science) M. Sc. (Hotel Mgt. Catering Tech. & Tourism)	Rs. 9,300-34,800+G. P 4,800/-	Jawaharlal Nehru Hr. Sec. School, Fatorda, Margao-Goa.
3.	Mrs. Edgell Gomes, B. Sc. (Home Science) M. Sc. (Hotel Mgt. & Catering Technology)	Rs. 9,300-34,800+G. P 4,800/-	

By order and in the name of the Governor of Goa.

G. P. Bhat, Director & ex officio Joint Secretary (Education).

Porvorim, 2nd May, 2017.

#### Order

No. DE/VOC/373/2016-17/Part VI/29

Sanction of the Government is hereby conveyed for regularization of the services of below mentioned full time vocational teachers who were on contract basis in accordance with Office Memorandum No. DE/VOC/373/2016-17/PVII/395 dated 22-11-2016. The regularisation shall be effective from the date of issue of the said Office Memorandum.

Sr. No.	Name of full time teacher on contract basis	Pay Scale	Name of the Hr. Sec. School
1.	Ms. Maleeta J. Barretto, B. Sc. (Home Science)	Rs. 9,300-34,800+G. P 4,200/-	Fr. Basilio Andrade Memorial Hr. Sec. School, Majorda, Salcete-Goa.

By order and in the name of the Governor of Goa.

G. P. Bhat, Director & ex officio Joint Secretary (Education).

Porvorim, 2nd May, 2017.

#### Order

No. DE/VOC/373/2016-17/Part VI/30

Sanction of the Government is hereby conveyed for regularization of the services of below mentioned full time vocational teachers who were on contract basis in accordance with Office Memorandum No. DE/VOC/373/2016-17/PVII/395 dated 22-11-2016. The regularisation shall be effective from the date of issue of the said Office Memorandum.

Sr. No.	Name of full time teacher on contract basis	Pay Scale	Name of the Hr. Sec. School
1.	Mr. Savio D'Costa, Dip. in Hotel Mgt. & Cat. Tech.	Rs. 9,300-34,800+G. P 4,600/-	St. Alex Hr. Sec. School, Curtorim, Salcete-Goa.

By order and in the name of the Governor of Goa.

G. P. Bhat, Director & ex officio Joint Secretary (Education).

Porvorim, 2nd May, 2017.

**Order**

No. DE/VOC/373/2016-17/Part VI/31

Sanction of the Government is hereby conveyed for regularization of the services of below mentioned full time vocational teachers who were on contract basis in accordance with Office Memorandum No. DE/VOC/373/2016-17/P.VII/395 dated 22-11-2016. The regularisation shall be effective from the date of issue of the said Office Memorandum.

Sr. No.	Name of full time teacher on contract basis	Pay Scale	Name of the Hr. Sec. School
1.	Ms. Bruna Irence Dias, HSSC, Dip. in Hotel Mgt. & Cat. Tech.	Rs. 9,300-34,800+G. P 4,600/-	Guardian Angel Hr. Sec. School, Curchorem-Goa.

By order and in the name of the Governor of Goa.

G. P. Bhat, Director & ex officio Joint Secretary (Education).

Porvorim, 2nd May, 2017.

**Order**

No. DE/VOC/373/2016-17/Part VI/32

Sanction of the Government is hereby conveyed for regularization of the services of below mentioned full time vocational teachers who were on contract basis in accordance with Office Memorandum No. DE/VOC/373/2016-17/P.VII/395 dated 22-11-2016. The regularisation shall be effective from the date of issue of the said Office Memorandum.

Sr. No.	Name of full time teacher on contract basis	Pay Scale	Name of the Hr. Sec. School
1.	Sadika Farhath M. Ali, B. Sc. (Nutrition Food Service Mgt. & Dietetics) M. A. (Tourism Mgt.) M. Phil. in Tourism Mgt., M. Sc. in Hotel Mgt.	Rs. 9,300-34,800+G. P 4,800/-	Mount Mary's Hr. Sec. School, Chinchinim-Goa.

By order and in the name of the Governor of Goa.

G. P. Bhat, Director & ex officio Joint Secretary (Education).

Porvorim, 2nd May, 2017.

**Order**

No. DE/VOC/373/2016-17/Part VI/33

Sanction of the Government is hereby conveyed for regularization of the services of below mentioned full time vocational teachers who were on contract basis in accordance with Office Memorandum No. DE/VOC/373/2016-17/P.VII/395 dated 22-11-2016. The regularisation shall be effective from the date of issue of the said Office Memorandum.

Sr. No.	Name of full time teacher on contract basis	Pay Scale	Name of the Hr. Sec. School
1	2	3	4
1.	Mr. Prathamesh P. Sankhalkar, Dip. in Hotel Mgt. & Cat. Tech. Bachelor of Business Admn. Master of Arts (Human Resource Magt.)	Rs. 9,300-34,800+G. P 4,800/-	Shri Bhumika Hr. Sec. School, Parye, Satari-Goa.

1	2	3	4
2.	Mr. Sandesh S. Sawant, Bachelor of Hotel Mgt. Master of Arts (Tourism Mgt.)	Rs. 9,300-34,800+G. P 4,800/-	Shri Bhumika Hr. Sec. School, Parye, Satari-Goa.

By order and in the name of the Governor of Goa.

G. P. Bhat, Director & ex officio Joint Secretary (Education).

Porvorim, 2nd May, 2017.

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**Order**

No. DE/VOC/373/2016-17/Part VI/34

Sanction of the Government is hereby conveyed for regularization of the services of below mentioned full time vocational teachers who were on contract basis in accordance with Office Memorandum No. DE/VOC/373/2016-17/PVII/395 dated 22-11-2016. The regularisation shall be effective from the date of issue of the said Office Memorandum.

Sr. No.	Name of full time teacher on contract basis	Pay Scale	Name of the Hr. Sec. School
1.	Mrs. Supriya D. Kambli, B. Sc. (Home Science)	Rs. 9,300-34,800+G. P 4,200/-	Harmal Panchakroshi Hr. Sec. School, Harmal-Goa.

By order and in the name of the Governor of Goa.

G. P. Bhat, Director & ex officio Joint Secretary (Education).

Porvorim, 2nd May, 2017.

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**Order**

No. DE/VOC/373/2016-17/Part VI/35

Sanction of the Government is hereby conveyed for regularization of the services of below mentioned full time vocational teachers who were on contract basis in accordance with Office Memorandum No. DE/VOC/373/2016-17/PVII/395 dated 22-11-2016. The regularisation shall be effective from the date of issue of the said Office Memorandum.

Sr. No.	Name of full time teacher on contract basis	Pay Scale	Name of the Hr. Sec. School
1.	Mr. Sandip D. Gawas, M. Com., B. Ed.	Rs. 9,300-34,800+G. P 4,800/-	Vividha Vidya Pratisthan's V. R. Gauns Mem. Hr. Sec. School, Navelim, Sanquelim-Goa.
2.	Mrs. Shilpa Dhawaskar/Gauns, B. Sc. (Nursing)	Rs. 9,300-34,800+G. P 4,200/-	
3.	Mr. Sameer N. Gawas, XII Science, Dip. in Mech. Engg.	Rs. 9,300-34,800+G. P 4,600/-	

By order and in the name of the Governor of Goa.

G. P. Bhat, Director & ex officio Joint Secretary (Education).

Porvorim, 2nd May, 2017.

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**Order**

No. DE/VOC/373/2016-17/Part VI/36

Sanction of the Government is hereby conveyed for regularization of the services of below mentioned full time vocational teachers who were on contract basis in accordance with Office Memorandum

No. DE/VOC/373/2016-17/P.VII/395 dated 22-11-2016. The regularisation shall be effective from the date of issue of the said Office Memorandum.

Sr. No.	Name of full time teacher on contract basis	Pay Scale	Name of the Hr. Sec. School
1.	Ms. Sharin Udaikumar Arambolkar, M. Com., B. Ed.	Rs. 9,300-34,800+G. P 4,800/-	St. Xavier's Hr. Sec. School, Mapusa-Goa.

By order and in the name of the Governor of Goa.

G. P. Bhat, Director & ex officio Joint Secretary (Education).

Porvorim, 2nd May, 2017.

#### Order

No. DE/VOC/373/2016-17/Part VI/37

Sanction of the Government is hereby conveyed for regularization of the services of below mentioned full time vocational teachers who were on contract basis in accordance with Office Memorandum No. DE/VOC/373/2016-17/P.VII/395 dated 22-11-2016. The regularisation shall be effective from the date of issue of the said Office Memorandum.

Sr. No.	Name of full time teacher on contract basis	Pay Scale	Name of the Hr. Sec. School
1.	Mrs. Diksha D. Tarkar, M. A., M. Com., B. Ed.	Rs. 9,300-34,800+G. P 4,800/-	Purushottam Walawalkar Hr. Sec. School, Khorlim, Mapusa-Goa.
2.	Mr. Rajesh kumar M. Narulkar, B. Com., M.C.A., P.G.D.C.A.	Rs. 9,300-34,800+G. P 4,800/-	

By order and in the name of the Governor of Goa.

G. P. Bhat, Director & ex officio Joint Secretary (Education).

Porvorim, 2nd May, 2017.

Office of the Returning Officer, Goa Board of Secondary and Higher Secondary Education

#### Notification

No. GBSHSE/IT/BRD-ELE/2017/1001

In pursuance of sub-rule (1) of Rule 7 of the Goa, Daman and Diu Secondary and Higher Secondary Education Board Members Election Procedure Rules, 1979, I, Shri Damodar Guna Phadte, the Returning Officer hereby notify 16th July, 2017 (Sunday) to be the date for election to elect the members referred to in clauses (iii), (iv), (v), (vi) and (vii), under "Class B-Elected Members" of sub-section (1) of Section 12 of the Goa, Daman and Diu Secondary and Higher Secondary Education Board Act, 1975 (Act No. 13 of 1975).

Shri Damodar Guna Phadte, Returning Officer.

Alto Betim, 11th May, 2017.

Directorate of Art & Culture

#### Order

No. DAC/Acctts./RBB-RBS/Committee/2017-18/864

In exercise of powers conferred under Clause 5 of the Constitution of Ravindra Bhavan, Baina-Goa, the Government is pleased to nominate Shri Sanjay Satardekar, as the Chairman of Ravindra Bhavan, Baina-Goa with immediate effect.

By order and in the name of the Governor of Goa.

Prasad Lolayekar, Director & ex officio Addl. Secretary (Art & Culture).

Panaji, 8th May, 2017.

#### Order

No. DAC/Acctts./RBB-RBS/Committee/2017-18/865

In exercise of powers conferred under Clause 5 of the Constitution of Ravindra Bhavan, Baina-Goa, the Government is pleased to nominate

Dr. Dharmendra Prabhudessai, as the Vice-Chairman of Ravindra Bhavan, Baina-Goa with immediate effect.

By order and in the name of the Governor of Goa.

*Prasad Lolayekar*, Director & ex officio Addl. Secretary (Art & Culture).

Panaji, 8th May, 2017.

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**Order**

No. DAC/Accts./RBB-RBS/Committee/2017-18/866

In exercise of powers conferred under Clause 7(vii) of the Constitution of Ravindra Bhavan, Baina-Goa, the Government is pleased to nominate following members on the General Council of Ravindra Bhavan, Baina-Goa with immediate effect.

1. Shri Mohan Dicholkar, Vasco-Goa.
2. Shri Santosh Naik, Vasco-Goa.
3. Shri Sudesh Bhosle, Vasco-Goa.
4. Shri Prasad Prabhugaonkar, Vasco-Goa.
5. Ms. Noela Rodrigues, Vasco-Goa.
6. Smt. Kamla Prasad Yadav, Vasco-Goa.
7. Shri Dhanu Dicholkar, near Ganapati Temple, Sanmolem, Baina, Vasco-Goa.
8. Shri Pravesh Amonkar, Vasco-Goa.
9. Shri Anil Kondurkar, Vasco-Goa.
10. Shri Shyam Chari, Sasmoalem, Baina, Vasco-Goa.

By order and in the name of the Governor of Goa.

*Prasad Lolayekar*, Director & ex officio Addl. Secretary (Art & Culture).

Panaji, 8th May, 2017.

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**Order**

No. DAC/Accts./RBB-RBS/Committee/2017-18/867

In exercise of powers conferred under Clause 11(viii) of the Constitution of Ravindra Bhavan, Baina-Goa, the Government is pleased to nominate following members on the Executive Board of Ravindra Bhavan, Baina-Goa with immediate effect.

1. Shri Mohan Dicholkar, Vasco-Goa.
2. Shri Santosh Naik, Vasco-Goa.
3. Shri Sudesh Bhosle, Vasco-Goa.
4. Shri Prasad Prabhugaonkar, Vasco-Goa.
5. Ms. Noela Rodrigues, Vasco-Goa.

By order and in the name of the Governor of Goa.

*Prasad Lolayekar*, Director & ex officio Addl. Secretary (Art & Culture).

Panaji, 8th May, 2017.

**Order**

No. DAC/Accts./RBB-RBS/Committee/2017/868

In exercise of powers conferred under Clause 5 of the Constitution of Ravindra Bhavan, Sankhali, the Government is pleased to nominate Dr. Pramod P. Sawant, MLA, Sankhali-Goa as the Chairman of Ravindra Bhavan, Sankhali-Goa with immediate effect.

By order and in the name of the Governor of Goa.

*Prasad Lolayekar*, Director & ex officio Addl. Secretary (Art & Culture).

Panaji, 8th May, 2017.

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**Order**

No. DAC/Accts./RBB-RBS/Committee/2017/869

In exercise of powers conferred under Clause 5 of the Constitution of Ravindra Bhavan, Sankhali, the Government is pleased to nominate Shri Vithoba Ghadi, Sankhali-Goa as the Vice-Chairman of Ravindra Bhavan, Sankhali-Goa with immediate effect.

By order and in the name of the Governor of Goa.

*Prasad Lolayekar*, Director & ex officio Addl. Secretary (Art & Culture).

Panaji, 8th May, 2017.

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**Order**

No. DAC/Accts./RBB-RBS/Committee/2017/870

In exercise of powers conferred under Clause 7(vii) of the Constitution of Ravindra Bhavan, Sankhali, the Government is pleased to nominate following members on the General Council of Ravindra Bhavan, Sankhali-Goa with immediate effect.

1. Shri Gokuldas Kamat, Sankhali-Goa.
2. Shri Gopinath Gauns, Sankhali-Goa.
3. Shri Damodar Satodkar, Sankhali-Goa.
4. Shri Sidhi Prabhu, Sankhali-Goa.
5. Shri Sunil Sinari, Sankhali-Goa.
6. Shri Rajendra Malik, Sankhali-Goa.
7. Shri Nitesh Naik, Sankhali-Goa.
8. Shri Manohar Volvoikar, Sankhali-Goa.
9. Shri Ajit Desai, Sankhali-Goa.
10. Shri Subhash Harwalkar, Sankhali-Goa.

By order and in the name of the Governor of Goa.

*Prasad Lolayekar*, Director & ex officio Addl. Secretary (Art & Culture).

Panaji, 8th May, 2017.



**Order**

No. DAC/Accts./RBB-RBS/Committee/2017/871

In exercise of powers conferred under Clause 11(viii) of the Constitution of Ravindra Bhavan, Sankhali, the Government is pleased to nominate following members on the Executive Board of Ravindra Bhavan, Sankhali-Goa with immediate effect.

1. Shri Gokuldas Kamat, Sankhali-Goa.
2. Shri Gopinath Gauns, Sankhali-Goa.
3. Shri Damodar Satodkar, Sankhali-Goa.
4. Shri Sidhi Prabhu, Sankhali-Goa.
5. Shri Sunil Sinari, Sankhali-Goa.

By order and in the name of the Governor of Goa.

*Prasad Lolayekar*, Director & ex officio Addl. Secretary (Art & Culture).

Panaji, 8th May, 2017.

**Order**

No. DAC/Accts./RBB-RBS/Committee/2017-18/872

In exercise of the powers conferred under Clause 5 of the Constitution of Ravindra Bhavan, Curchorem-Goa, the Government is pleased to appoint Shri Nilesh Cabral, Curchorem-Goa as Chairman of Ravindra Bhavan, Curchorem-Goa with immediate effect.

By order and in the name of the Governor of Goa.

*Prasad Lolayekar*, Director & ex officio Addl. Secretary (Art & Culture).

Panaji, 8th May, 2017.

**Order**

No. DAC/Accts./RBB-RBS/Committee/2017-18/873

In exercise of the powers conferred under Clause 5 of the Constitution of Ravindra Bhavan, Curchorem-Goa, the Government is pleased to appoint Shri Keshav (Rajoo) M. Naik, Curchorem-Goa as Vice-Chairman of Ravindra Bhavan, Curchorem-Goa with immediate effect.

By order and in the name of the Governor of Goa.

*Prasad Lolayekar*, Director & ex officio Addl. Secretary (Art & Culture).

Panaji, 8th May, 2017.

**Order**

No. DAC/Accts./RBB-RBS/Committee/2017-18/874

In exercise of powers conferred under Clause 7(vii) of the Constitution of Ravindra Bhavan, Curchorem-Goa, the Government is pleased to nominate following members on the General Council of Ravindra Bhavan, Curchorem-Goa with immediate effect.

1. Shri Rudresh G. Prabhu Tendulkar, H. No. 1092, Shiv Ashirwad, Opp. Power Station, Pontemol, Curchorem-Goa.
2. Shri Jeetendra alias Navin J. Khandekar, H. No. 712, Saraswati Niwas, Pontemol, Curchorem-Goa.
3. Shri Riyaz Sheikh, "Zahida Manzil" Carrimodi, Curchorem-Goa.
4. Ms. Jasmina Braganza, H. No. 407/2, Cariamoddi, Curchorem-Goa.
5. Shri Vishwas Sawant Desai, Curchorem-Goa.
6. Shri Joaquim Fernandes, H. No. 769, Vodlemol, Kakoda, Curchorem-Goa.
7. Shri Jaikumar Damodar Khandekar, H. No. 841/3, Khandiwada, Curchorem-Goa.
8. Shri Shailesh Dumuskar, Curchorem-Goa.
9. Shri Mukund Z. Naik, Curchorem-Goa.
10. Shri Shivrai Fondekar, Curchorem-Goa.

By order and in the name of the Governor of Goa.

*Prasad Lolayekar*, Director & ex officio Addl. Secretary (Art & Culture).

Panaji, 8th May, 2017.

**Order**

No. DAC/Accts./RBB-RBS/Committee/2017-18/875

In exercise of powers conferred under Clause 11(viii) of the Constitution of Ravindra Bhavan, Curchorem-Goa, the Government is pleased to nominate following members on the Executive Board of Ravindra Bhavan, Curchorem-Goa with immediate effect.

1. Shri Rudresh G. Prabhu Tendulkar, H. No. 1092, Shiv Ashirwad, opp. Power Station, Pontemol, Curchorem-Goa.
2. Shri Jeetendra alias Navin J. Khandekar, H. No. 712, Saraswati Niwas, Pontemol, Curchorem-Goa.
3. Shri Riyaz Sheikh, "Zahida Manzil" Carrimodi, Curchorem-Goa.



4. Ms. Jasmina Braganza, H. No. 407/2, Cariamoddi, Curchorem-Goa.
5. Shri Vishwas Sawant Desai, Curchorem-Goa.

By order and in the name of the Governor of Goa.

*Prasad Lolayekar*, Director & ex officio Addl. Secretary (Art & Culture).

Panaji, 8th May, 2017.

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**Department of Home**  
Home—General Division

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**Order**

No. 27/14/2016-HD(G)/1303

In exercise of the powers conferred by Section 3 of the Commissions of Inquiry Act, 1952 (Central Act 60 of 1952), the Government of Goa, being of the opinion that it is necessary to do so, hereby appoints a Commission of Inquiry consisting of Shri Avinash Lavande, ret'd. Justice for the purpose of making an inquiry into the various issues highlighted in the August House in respect of Goa State Co-operative Bank Ltd., Panaji-Goa.

The Commission shall complete the inquiry and submit the report to the Government within a period of 90 days from the date of publication of this Notification in the Official Gazette.

By order and in the name of the Governor of Goa.

*Neetal P. Amonkar*, Under Secretary (Home).

Porvorim, 9th May, 2017.

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**Department of Industries**

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**Order**

No. 3/25/2014-IND/104

Government of Goa is pleased to appoint Chief Executive Officer, Goa Investment Promotion and Facilitation Board, Secretariat, Porvorim-Goa, as a Nodal Officer of the State to interact and provide assistance to Invest India, the National Investment Promotion Agency set up by the Government of India.

By order and in the name of the Governor of Goa.

*Georgina Saldanha*, Under Secretary (Industries).  
Porvorim, 10th May, 2017.

**Notification**

No. 3/26/2014-IND/109

In exercise of the powers conferred by Section 3 of the Goa Investment Promotion Act, 2014 (Goa Act 13 of 2014), the Government of Goa hereby re-constitutes the Goa Investment Promotion and Facilitation Board consisting of the following members, namely:-

- |  |                                |
|--|--------------------------------|
| 1) Chief Minister of Goa and Minister for Industries | — Chairperson ex officio.      |
| 2) Minister for Information and Technology           | — Vice-Chairperson ex officio. |
| 3) Minister for Tourism                              | — Vice-Chairperson ex officio. |
| 4) Secretary (Industries)                            | — Member.                      |
| 5) Secretary (Tourism)                               | — Member.                      |
| 6) Mr. Atrey Sawant                                  | — Member.                      |
| 7) Mr. Ernest Dias                                   | — Member.                      |
| 8) Mr. Yatin Kakodkar                                | — Member.                      |
| 9) Mr. Girish Bharne                                 | — Member.                      |
| 10) Mr. Rajkumar Kamat                               | — Member.                      |
| 11) Mr. Shekhar Sardessai                            | — Member.                      |
| 12) Chief Executive Officer                          | — Member Secretary.            |

This Notification shall come into force with immediate effect.

By order and in the name of the Governor of Goa.

*Georgina Saldanha*, Under Secretary (Industries).  
Porvorim, 12th May, 2017.

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**Department of Labour**

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**Order**

No. 22/4/2001-Lab-Part-Vol-I/308

- Read: 1) Government Order No. 22/4/2001-Lab-Part/690 dated 28-11-2014.
- 2) Government Order No. 22/4/2001-Lab-Part-Vol-I/1055 dated 14-12-2015.

Government is pleased to extend the ad hoc promotion of Smt. Luisine Lopes Pereira, Employment Counselling Officer (Group 'B', Gazetted) in the Pay Band 2—Rs. 9,300-34,800 with Grade Pay of Rs. 4,200/- or corresponding scale at

level 6 in the VIIth Pay Commission pay structure, in the Office of the Commissioner of Labour and Employment, Panaji-Goa for a further period of eight months and four days with effect from 28-03-2016 to 30-11-2016 on the terms and conditions mentioned in the order referred to in the preamble above.

The expenditure shall be debited to the Budget Head 2230–Labour and Employment; 02–Employment Service; 101–Employment Services;

05–Setting up of Job Development and Vocational Guidance Unit (Non-Plan); 01–Salaries.

This issues with the concurrence of Goa Public Service Commission vide their letter No. COM/II/ /11/28(4)/2015/78 dated 24-04-2017.

By order and in the name of the Governor of Goa.

*Georgina Saldanha*, Under Secretary (Labour).  
Porvorim, 8th May, 2017.

### Order

No. 24/3/87-Lab-Part-I/310

Government is pleased to order the transfer and posting of the following Insurance Medical Officers in E.S.I. Scheme, under office of Commissioner Labour & Employment in public interest with immediate effect as under:

Sr. No.	Name of the Insurance Medical Officer	Present place of posting	Place of posting on transfer
1	2	3	4
1.	Dr. Deepak Ramnathkar	E.S.I. Dispensary, Kundaim	E.S.I. Dispensary, Honda.
2.	Dr. Reshma Hiremath	E.S.I. Dispensary, Mapusa	E.S.I. Dispensary, Bicholim.
3.	Dr. Pavitra Deshpabhu	E.S.I. Dispensary, Bicholim	E.S.I. Dispensary, Panaji.
4.	Dr. Sunil Kavlekar	E.S.I. Dispensary, Honda (transferred to ESI Dispensary, Corlim but not relieved)	E.S.I. Dispensary, Kundaim.
5.	Dr. Reena Choudhury	E.S.I. Dispensary, Corlim (transferred to ESI Hospital, Margao but not relieved)	Retained in E.S.I. Dispensary, Kundaim.

This order shall come into force with immediate effect.

This supersedes earlier order No. 24/3/87-LAB-Part-I/04 dated 2-01-2017.

By order and in the name of the Governor of Goa.

*Georgina Saldanha*, Under Secretary (Labour).  
Porvorim, 8th May, 2017.

### Order

No. 28/12/2017-LAB/315

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Hindustan Foods Limited, Marvasodo, Usgao, Ponda, Goa, and it's workman, represented by the Gomantak Mazdoor Sangh in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by Clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Labour Court-II of Goa at Panaji-Goa, constituted under Section 7(1) of the said Act.

### SCHEDULE

"(1) Whether Shri Hemant G. Shet, Sales Representative could be construed as "workman" as defined under Section 2(s) of the Industrial Disputes Act, 1947 (Central Act 14 of 1947)?

- (2) If the answer to the issue No. (1) above is in the affirmative, then, whether the action of the management of M/s. Hindustan Foods Limited, Marvasodo, Usgao, Ponda, Goa in transferring the workman, Shri Hemant G. Shet, Sales Representative to Jammu, with effect from 10-10-2016, is legal and justified?
- (3) If the answer to issue No. (2) above is in the negative, then, what relief the workman is entitled to?"

By order and in the name of the Governor of Goa.

*Georgina Saldanha*, Under Secretary (Labour).  
Porvorim, 9th May, 2017.

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**Order**

No. 22/4/2001-Lab/Part-Vol-I/330

On the recommendation of the Goa Public Service Commission conveyed vide their letter No. COM/II/11/28(1)/2017/621 dated 05-05-2017, Government is pleased to promote Shri Sunil A. Gaonkar, Employment Counselling Officer to the post of Employment Officer (Group 'B', Gazetted) in Regional Employment Exchange, Office of the Commissioner, Labour and Employment, Panaji, Goa, on regular basis, in the pay scale of PB-2 Rs. 9,300-34,800+4,600/- (Grade Pay) with corresponding scale at Level 7 in the VIIth Pay Commission Pay Structure with immediate effect.

The expenditure on pay and allowances shall be debited to the Budget Head 2230-Labour and Employment; 02-Employment Service; 101-Employment Services; 05-Setting up of Job Development and Vocational Guidance Unit (Non-Plan); 01-Salaries.

By order and in the name of the Governor of Goa.

*Georgina Saldanha*, Under Secretary (Labour).  
Porvorim, 11th May, 2017.

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**Order**

No. 22/4/2001-Lab/Part-Vol-I/332

On the recommendation of the Goa Public Service Commission conveyed vide their letter No. COM/II/11/28(2)/2017/618 dated 03-05-2017, Government is pleased to promote Shri Bhalchandra U. Sinai Kenkre, Assistant Employment Officer to the post of Employment Counselling Officer (Group 'B', Gazetted) in Regional Employment Exchange, Office of the Commissioner, Labour and Employment, Panaji, Goa, on regular basis, in the pay scale of PB-2 Rs. 9,300-34,800+4,200/- (Grade Pay) with corresponding scale at Level 6 in the VIIth Pay Commission Pay Structure with immediate effect.

The Officer shall be on probation for a period of two years from the date of joining and shall submit Annual Assessment Report for the said period.

The expenditure on pay and allowances shall be debited to the Budget Head 2230-Labour and Employment; 02-Employment Service; 101-Employment Services; 05-Setting up of Job Development and Vocational Guidance Unit (Non-Plan); 01-Salaries.

By order and in the name of the Governor of Goa.

*Georgina Saldanha*, Under Secretary (Labour).  
Porvorim, 12th May, 2017.

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**Notification**

No. 28/9/2017-LAB/Part-II/287

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 31-03-2017 in reference No. IT/57/2000 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

*Georgina Saldanha*, Under Secretary (Labour).  
Porvorim, 2nd May, 2017.

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**IN THE INDUSTRIAL TRIBUNAL AND  
LABOUR COURT**

**GOVERNMENT OF GOA**

**AT PANAJI**

**(Before Mr. Vincent D'Silva, Hon'ble Presiding  
Officer)**

Ref. No. IT/57/2000

Shri Ashok N. Kamat Dhakankar, Cimas Apartments, Flat No. 2, Behind Hotel Yebra, Fatorda, Margao-Goa.	... Workman/Party I
V/s	
The Managing Director, M/s Varun Beverages Ltd., Arlem, Raia-Goa.	... Employer/Party II

Workman/Party I represented by Shri K. V. Nadkarny.  
Employer/Party II represented by Ld. Adv. Shri G. B. Kamat.

#### AWARD

**(Delivered on this the 31st day of the month of March of the year 2017)**

By Order dated 07-08-2000, bearing No. IRM/CON/SG/(6)/1999/3947, the Government of Goa in exercise of powers conferred by Section 10(1)(d) of the Industrial Disputes Act, 1947 (for short The Act), has referred the following dispute to this Tribunal for adjudication.

“(1) Whether the action of the management of M/s. Goa Bottling Company Private Limited, Arlem, Raia, Goa, in superannuating Shri Ashok N. Kamat Dhakankar, Sr. Sales Accountant, with effective from 6-1-1998, is legal and justified?

(2) If not, to what relief the workman is entitled?”

2. On receipt of the reference, it was registered as IT/57/2000 and registered A/D notices were issued to both the parties. Upon appearance, Party I filed a claim statement at Exhibit 3 and Party II filed a written statement at Exhibit 4.

3. In short, the case of Party I in the claim statement is that the Party I was employed with Party II in the year 1971 in their factory at Raia, Arlem. The Party I was not issued any letter of appointment at the time of appointment in the Company, however Party I was issued letters of increment. Initially, when he was employed in the Company, there were no Standing Orders of the Company and that they were framed subsequently and the age of retirement in the Company as informed to him was 58 years. A Memorandum of Settlement to amend Clause 27 of the Certified Standing Orders of the Company was signed between the management of the Company and the Union. The Party I was initially appointed in the Sales section and was given designation of Sr. Sales Assistant and he continued to work under the same designation till 1991, in which year it changed to Sr. Sales Accountant and was carrying out work of clerical in nature like maintaining party-wise account of sales, etc.

4. The Party I on 6-1-1998 received a letter issued by Executive (Legal and Taxation) informing him that on crossing the age of superannuation he is retired from the service of the Company with immediate effect and was advised to collect the final settlement dues on 7-1-1998 and was retired

from the service of the Company abruptly and illegally from 6-1-1998, although on the date of forceful retirement, he was just 55½ years of age, whereas the age of retirement in the Company was 58 years as per the settlement with the Union. The date of birth of Party I as admitted in the records of the Company is 1-7-1942 and therefore he would have attained the age of retirement which was 58 years as on 1-7-2000 as per the Certified Standing Orders and the Memorandum of Settlement. The action of the management in retiring him from services at the age of 55½ years is illegal and bad-in-law. Hence, the dispute.

5. In the written statement, Party II claimed that it has formulated Standing Orders defining the conditions of the employment of the workers which Standing Orders are certified by Certifying Officer as required under the law and as per clause 27 of the Certified Standing Orders, the age of the retirement or superannuation of the employee shall on completion of 55 years or such other age as may be agreed upon between the employer and the employee. The workman completed 55 years of age as on 1-7-1997 and accordingly issued a letter dated 6-1-1998 and was paid his final Settlement dues on 7-1-1998. The Memorandum of Settlement was arrived at between the parties but the same was not given effect to by modifying the existing Certified Standing Orders in terms of Section 10 of the Industrial Employment (Standing Orders) Act, 1946 and as such clause 27 of Certified Standing Orders providing the age of retirement/superannuation to be 55 years of age is in force till today. The action of the Company in superannuating the workman is perfectly legal and justified.

6. In the rejoinder at Exhibit 5, the Party I denied the case put forth by Party II in written statement. It is claimed that the agreement enhancing the age of retirement was given effect and most of the workers were retired after attaining the age of 58 years, however Party I workman was victimized and deprived of the benefits by the management.

7. It is a matter of record that Party II filed an application at Exb. 16 for change of name of Party II in the cause title of statement of claim by substituting the existing name of M/s. Goa Bottling Pvt. Ltd. with M/s. Varun Beverages Pvt. Ltd. as pursuant to the approval of scheme of amalgamation of M/s. Varun Beverages (International) Ltd. with M/s. Varun Beverages Ltd. vide Order of Hon'ble High Court of Delhi dated 12-3-2013, the said M/s. Varun Beverages (International) Ltd. was merged with M/s. Varun Beverages Ltd. w.e.f. 1-5-2013 and

pursuant to said merger, the said M/s. Varun Beverages (International) Ltd. ceased to exist. The said application was not objected to by Shri K. V. Nadkarny for Party I and accordingly the application was granted on 25-2-2016 and necessary changes were made to the cause title.

8. Based on the above averments of the respective parties, the following issues were framed:

1. Whether the Party I proves that the action of the Party II in superannuating him w.e.f. 6-1-1998 is illegal and unjustified?
2. Whether the Party II proves that Party I is not a 'Workman' within the meaning of Sec. 2(s) of the I.D. Act, 1947?
3. Whether the Party II proves that the Party I is gainfully employed after his superannuation?
4. Whether the Party I is entitled to any relief?
5. What Award?

9. In support of his case, Party I, Shri Ashok Kamat Dhakankar examined himself and produced on record a copy of increment letter dated 31-1-1983 at Exb. W-1, a copy of increment letter dated 31-1-1985 at Exb. W-2, a copy of increment letter dated Nil at Exb. W-3, a copy of increment letter dated 7-2-1989 at Exb. W-4, a copy of increment letter dated 2-8-1990 at Exb. W-5 and a copy of increment letter dated 2-2-1991 at Exb. W-6, a copy of promotion letter dated 28-2-1991 at Exb. W-7, a copy of increment letter dated 6-2-1992 at Exb. W-8, a copy of increment letter at 1-1-1994 at Exb. W-9, a copy of letter dated 1-1-1995 at Exb. W-10, a copy of increment letter dated 28-10-1996 at Exb. W-11 and letter dated 30-1-1997 at Exb. W-12, a copy of letter dated 6-1-1998 at Exb. W-13, a copy of service certificate dated 7-1-1998 at Exb. W-14, a copy of representation dated 9-12-1998 along with birth certificate at Exb. W-14(a) colly, a copy of report of failure dated 10-7-2000 at Exb. W-15, a copy of amendment to clause No. 27 of Memorandum of Settlement at Exb. W-16, a copy of Statement of account along with enclosure at Exb. W-17 colly, a copy of letter dated 15-12-2000 at Exb. W-18, a copy of birth certificate at Exb. W-19. The Party I also examined Shri Datta R. Borkar and closed his case. Party II did not lead any evidence in defence.

10. I have gone through the records of the case and have duly considered the arguments advanced. My answers to the above issues are as follows:

Issue No. 1	...	In the affirmative.
Issue No. 2	...	Not pressed.
Issue No. 3	...	Partly in affirmative.
Issue No. 4	...	In the affirmative.
Issue No. 5	...	As per final order.

#### REASONS

##### *Issue No. 1:*

11. Shri K. V. Nadkarny for the Party I has submitted that Party I was employed in the year 1971 with Party II though he was not given any appointment letter at the time of employment. However, on 5-1-1998 he received a letter that he is retired from services of Party II with immediate effect on crossing the age of retirement on 1-7-1997 though the said letter is silent on what is the age of retirement in the Company. The Party I has protested the action of Party II by his representation dated 7-1-1998 at Exb. W-4 and brought on record that under Settlement at Exb. W-16, the age of retirement was fixed as 58 years and according to the said settlement, the workers like Ramesh Amonkar, Manuel Colaco and Datta Borkar were retired at the age of 58 years. The Party II had not led any evidence before the Court. The materials on record prove that the age of retirement in the Company was 58 years and therefore Party I has proved issue No. 1.

12. Ld. Adv. Shri G. B. Kamat for the Party II has submitted that the Settlement arrived at by and between the Goa Shop and Industrial Workers Union and the Party II whereby clause 27 of the Certified Standing Orders was amended and the age of superannuation of the male employees was changed to 58 years clearly shows that the age of superannuation of the male employees of Party II was 55 years at the date of signing of the said settlement. He further submitted that even though said settlement is arrived at, the Certified Standing Orders were not amended for incorporating the said amendment by following the procedures as prescribed in Section 10 of the Industrial Employment (Standing Orders) Act, 1946, which provides for mode in which the amendment to the Certified Standing Orders is to be carried out and therefore even as on today as per Certified Standing Orders of Party II, the age of superannuation of the male employees is 55 years only and not 58 years. It is therefore, for Party I to prove that the age of superannuation as per Certified Standing Orders of the Party II is 58 years and not 55 years, which he failed.



13. Ld. Adv. Shri G. B. Kamat further submitted that the said settlement was not arrived at during the course of conciliation proceedings which is clear from the said settlement. The said settlement was arrived at by an agreement between the Union and Party II and therefore it is settlement within the meaning of Section 2(p) read with Section 18(1) of the Industrial Disputes Act, 1947 which lays down that the settlement arrived at by an agreement between the employer and the workmen otherwise than in the course of conciliation proceedings shall be binding on the parties to the agreement and since Goa Shop and Industrial Workers Union was a Party to the settlement on behalf of the workers of Party II, the said settlement was applicable to and binding only on the employees who were the members of the said Union at the time of entering into the settlement. It is nowhere the case of Party I that he was anytime member of the Union nor he has examined any office bearer to prove as to how many and who were the workers of Party II as on the date of signing the said settlement and since the Party I has failed to prove that he was the member, he cannot take any benefit of the said settlement. The employees namely Manuel Colaco or witness of Party I, Shri Datta Borkar were superannuated at the age of attaining 58 years and it was the prerogative of Party II to decide as whether or not to superannuate or continue the services of a particular employee even after attaining the age of superannuation as the said settlement was inoperative and mere fact that the other employees were given benefit of the settlement, the Party I was not entitled to the said benefit by way of right.

14. The Party I, Shri Ashok Kamat Dhakankar has examined himself and has averred that he joined the services of Party II on 16-1-1971 but was not given an appointment letter. There is no dispute about the joining of services by Party I which is from 16-1-1971. He also claimed that he received a letter dated 31-1-1983 from Party II that he has been designated as Sr. Sales Assistant. He also stated that on 6-1-98 he received a letter from Party II informing him that he is retiring from service on crossing the age of superannuation on 1-7-1997. Exhibit W-13 is the said letter which states that Party I has been retired from the services of the Company on crossing the age of superannuation. It is however not mentioned in the said letter what was the age of superannuation or what was the age of Party I on the date he retired from the service. He also stated that he had made a representation dated 9-12-98 to the Managing Director of Party II

wherein he had mentioned that he had attained the age of 58 as on 1-7-2000 and that he be reinstated with full back wages or in the alternate he should be paid full wages till 1-7-2000. There is no dispute that he was superannuated on 1-7-1997 and that Party I would have completed 58 years as on 1-7-2000.

15. The Party I, Shri Ashok Kamat Dhakankar in his cross examination has stated that there was a settlement between the Union and the management of Party II whereby the retirement age of the male employees was increased to 58 years. Exhibit W-16 is the extract of amendment to clause 27 of Company's approved Standing Orders dated 5-4-1979 wherein the age of superannuation of the male employees was fixed at 58 years (Fifty eight years). The amendment to the Standing Orders has not been challenged nor disputed by which the age of superannuation of male employees has been increased to 58 years and that it would be applicable with immediate effect. The said amendment to clause 27 of Company's Standing Orders has been acted upon and put in practice as from the documents at Exb. W-17 produced on record reveal that one Shri Ramesh Amonkar has been retired from the service at the age of 58 years and not 55 years as claimed by Party II. The documents at Exb. W-17 also show that one Manuel Colaco was also retired at the age of 58 years on 3-1-2001.

16. There is no evidence on record that the above referred persons were the members of the Union nor it is the case of Party II that being the members of Party II they have afforded the said benefits. The contention of Party II that it is prerogative of the Company to decide as whether or not to superannuate or continue the services of a particular employee even after completing 55 years till 58 years as per Certified Standing Orders is de hors record. In any event, it shows that the said employees were superannuated at the age of 58 years as per the amended Certified Standing Orders. The documents on record at Exb. W-17 and Exb. W-18 also show that Ramesh Amonkar and Manuel Colaco were relieved from services on attaining the age of 58 years. The documents do not support the contention of Party II about its prerogative to relieve the workmen between 55 to 58 years of age.

17. Moreover, the witness, Shri Datta Rudraji Borkar who was working with Party II as General Manager has stated that as per the Certified Standing Orders, the retirement age of an employee was 55 years, but as per Settlement at Exb. W-16



which has been signed by him as representative of Party II, the date of retirement of male employees was changed to 58 from 55 years and that the said settlement was implemented and in pursuant to the said settlement, the male employees retired at the age of 58 years and that he also retired at the age of 58 years in terms of the said settlement. It therefore shows that the settlement at Exb. W-16 fixes retirement age for male employees of Party II as 58 years and according to the said settlement, the workmen like Ramesh Amonkar and Manuel Colaco were retired at the age of 58 years. Moreover, the General Manager of Party II Company who had signed the settlement at Exb. W-16 as a representative of Party II has also been retired at the age of 58 years in terms of the settlement, which is indicative of the fact that the said settlement was implemented and acted upon by the parties to the settlement.

18. The contention of Ld. Adv. Shri G. B. Kamat that as per the Standing Orders age of retirement of the employee was 55 years and although, clause 27 of the said Certified Standing Orders were amended to 58 years but the same was not amended by following the procedure prescribed under Section 10 of the Industrial Employment (Standing Orders) Act, 1946 and therefore as on today, the age of superannuation of the employees is 55 years only and not 58 years cannot be accepted, more so when, the said terms of settlement at exhibit 16 was acted upon and implemented and the employees including the Manager himself were retired at the age of 58 years. The contention of Ld. Adv. Shri G. B. Kamat that mere fact that employees, namely Manuel Colaco or Ramesh Amonkar were given benefits of the settlement does not mean the settlement was implemented also cannot be accepted, more so when, Shri Datta Borkar, Manager of Party II has clearly admitted that the settlement was implemented and that he was retired at the age of 58 years in terms of the said settlement.

19. The evidence of Party I coupled with the documents produced on record including the terms of Settlement at Exb. W-16, so also the testimony of the Manager of Party II, Shri Datta Rudraji Borkar clearly show that the terms of settlement at Exb. W-16 amends clause 27 of the Certified Standing Orders regarding the age of superannuation of the employees and that in terms of the said settlement, the age of superannuation of the male employees of the Party II was changed to 58 years and that the said terms of settlement was implemented and acted upon by the parties.

There is also no dispute that Party I was superannuated on 6-1-1998 from services at the age of 55½ years as against the age of retirement of 58 years, which is illegal and unjustified and in contravention of the said Settlement at Exb. W-16. It is therefore the action of Party II in superannuating the Party I with effect from 6-1-1998 is illegal and unjustified.

*Issue No. 2:*

20. Both the Advocates submitted that they shall not press for issue No. 2 as they are not disputing the status of Party I as workman and therefore, the question of answering the said issue does not arise.

*Issue No. 3:*

21. Ld. Adv. Shri G. B. Kamat for the Party II has submitted that the action of the Party II in superannuating the workman is perfectly legal and justified and therefore, the Party I is not entitled to any reliefs, however if the Tribunal comes to the conclusion that the action of Party II in superannuating Party I is illegal and that the Party I is entitled for monetary benefits from the date of his illegal superannuation till the date he completes 58 years of age, the Tribunal may consider the period from 1-5-1998 till 29-2-2000 when the Party I was gainfully employed, which fact the Party I himself admitted and for which said person is not entitled to any wages.

22. On the converse, Shri Nadkarny has submitted that Party I has deposed that he was unemployed for about 3-4 months, however from 1-5-1998, he started working with one Mr. Savio Queiroz on a salary of Rs. 3,000/- per month and that he worked for him till 29-2-2000, but did not work in between for four months as he met with an accident and subsequently his mother expired. He also submitted that the last drawn salary of Party I was Rs. 7,000/- approximately. He further submitted that it is possible that rather than starve while awaiting final decision on his complaint, the workman may have taken alternate employment and it would be fair to let the workman retain such amount by way of solatium for the shock of having his services terminated, the anxiety and agony caused thereby and the endeavours perhaps often fruitless, to find alternate employment.

23. In the case of **Deepali Gundu Surwase vs. Kranti Junior Adhyapak Mahavidhyalaya (D.ED) & Ors., (2013) 10 SCC 324**, the Division Bench of Hon'ble Bombay High Court has held that

if the order of termination is void *ab initio*, the workman is entitled to full back-wages. The relevant Para 22 of the decision is extracted hereunder:-

"22. The very idea of restoring an employee to the position which he held before dismissal or removal or termination of service implies that the employee will be put in the same position in which he would have been but for the illegal action taken by the employer. The injury suffered by a person, who is dismissed or removed or is otherwise terminated from service cannot easily be measured in terms of money. With the passing of an order which has the effect of severing the employer employee relationship, the latter's source of income gets dried up. Not only the concerned employee, but his entire family suffers grave adversities. They are deprived of the source of sustenance. The children are deprived of nutritious food and all opportunities of education and advancement in life. At times, the family has to borrow from the relatives and other acquaintance to avoid starvation. These sufferings continue till the competent adjudicatory forum decides on the legality of the action taken by the employer. The re-instatement of such an employee, which is preceded by a finding of the competent judicial/quasi-judicial body or Court that the action taken by the employer is *ultra vires* the relevant statutory provisions or the principles of natural justice, entitles the employee to claim full back-wages. If the employer wants to deny back-wages to the employee or contest his entitlement to get consequential benefits, then it is for him/her to specifically plead and prove that during the intervening period the employee was gainfully employed and was getting the same emoluments. Denial of back-wages to an employee, who has suffered due to an illegal act of the employer, would amount to indirectly punishing the concerned employee and rewarding the employer by relieving him of the obligation to pay back-wages including the emoluments."

24. Needless to mention, Party I is not entitled for re-instatement as he completed 58 years of age as on 30-6-2000, however he has stated that he remained unemployed for about three or four months and from 1-5-1998 he started working with one of his friends, Shri Savio Queiroz who was the stockiest for Coca Cola. He worked with him till 29-2-2000 and during the above period, he did not work with Mr. Queiroz for four months as he had

met with an accident and also his mother expired. Mr. Queiroz was paying him Rs. 3,000/- per month. He had not worked with any other Company or any other person other than with Mr. Queiroz. His last drawn salary was Rs. 7,000/- approximately at the time his services were terminated by Party II. He also stated that he would have completed 58 years of age on 30-6-2000. He denied the suggestion in the cross examination that from the next day of termination of his services, he joined the services of Coca Cola Company at Margao depot. There is absolutely no evidence on record that Party I was working with Coca Cola soon after his termination. It is also not denied that Party I was working with Mr. Queiroz from 1-5-1998 till 29-2-2000, but did not work for about 4 months during the above period as he was sick and his mother expired, which shows that he worked for said Mr. Savio Queiroz for about 18 months. There is also no dispute that Mr. Queiroz paid Rs. 3,000/- per month and that his last drawn salary was approximately Rs. 7,000/- per month.

25. The next question is what should be the amount of compensation and the Apex Court in the case of **O. P. Bhandari Vs. Indian Tourism Development Corporation Ltd. and Others (1986) 4 SCC 337**, has held that in appropriate case, such compensation in lieu of re-instatement can be to the extent of 3.33 years salary including allowances, besides the usual retirement benefits as well as cost and while doing so, the Apex Court had noticed that the then prevailing rates of bank interest was 15% p.a. and had found that the award of compensation, equivalent to 3.33 years service, would yield 50% of the annual salary and other allowances to the employee. The Party I has stated that his last drawn salary was Rs. 7,000/- per month. The increment letters at Exb. W-11 and Exb. W-12 show that the last drawn salary of Party I was around Rs. 7,000/- per month. There is no dispute that the Party I was illegally terminated on 7-1-1998 and he would have completed 58 years of age on 30-6-2000, which would be around 30 months. There cannot be any dispute that in arriving at the amount of compensation, a reasonable guess work and approximation, is inherent and unavoidable. Even assuming that Party I was earning Rs. 7,000/- per month and that his unpaid back wages was for 30 months, the amount which he would be getting was around Rs. 2,10,000/-.

26. The Party I has admitted that he was gainfully employed with Mr. Savio Queiroz from 15-1-1998 till 29-2-2000 with salary of Rs. 3,000/- with exception of 4 months. Even assuming that

he worked with said Savio Queiroz for 18 months @ Rs. 3,000/- p.m., the said amount of Rs. 54,000/- could be safely deducted from Rs. 2,10,000/- and the amount would work out to Rs.1,56,000/-. Admittedly, the Party I has been prosecuting his claim before the Labour Commissioner since 1999 and before the Tribunal from the year 2,000 after failure report was sent to appropriate Government. The Party I has been fighting the litigation since last 17 years and therefore the reasonable amount towards interest would be around Rs. 2,38,680/- assuming that the prevailing rate of interest at present is around 9% p.a. although the rate of interest assumed in the case of **O.P. Bhandari**, supra was 15% p.a. The Party I is also entitled for cost of litigation which he pursued for last 17 years relentlessly as also for pain and agony as he has suffered punishment for no fault of his own, which would work out to Rs. 20,320/- approximately and therefore equity demands taking into overall consideration, a total monetary compensation of Rs. 4,15,000/- (Rupees Four lakhs fifteen thousand only) would serve the ends of justice, which would be just, proper and equitable in the facts and circumstances of this case. Hence, the above issue is answered accordingly.

27. In the result, I pass the following:

#### ORDER

- 1) It is hereby held that the action of the management of M/s. Goa Bottling Company Private Limited, Arlem, Raia, Goa (M/s. Varun Beverages Ltd., Arlem, Raia, Goa) in superannuating Shri Ashok N. Kamat Dhakankar, Sr. Sales Accountant, with effective from 6-1-1998, is illegal and unjustified.
- 2) The Party II is directed to pay to Party I monetary compensation of Rs. 4,15,000/- (Rupees Four lakhs fifteen thousand only) within two months from the date of publication of Award failing which the same shall carry interest at the rate of 9% p.a.
- 3) Inform the Government accordingly.

Sd/-  
(Vincent D'Silva),  
Presiding Officer,  
Industrial Tribunal and  
Labour Court.

## Department of Personnel

### Order

No. 7/22/2012-PER

Read: Order No. 12026/05/2016.IFS-I dated 24-04-2017.

The Governor of Goa is pleased to relieve Shri Sunil Kumar Aggarwal, IFS (AGMUT: 1986), Additional Principal Chief Conservator of Forests (APCCF) from this Administration w.e.f. 05-05-2017 to take up his new assignment as APCCF at Regional office, Shillong, on deputation basis under Central Staffing Scheme of Ministry of Environment, Forest and Climate Change.

By order and in the name of the Governor of Goa.

*Meghana Shetgaonkar*, Under Secretary (Personnel-I).

Porvorim, 4th May, 2017.

### Addendum

No. 7/30/2014-PER

Read: Notification No. 7/30/2014-PER dated 12-04-2017.

In the Government Notification read at preamble, the following Work/Department shall be added to Shri Ameya Abhyankar, IAS (2007):

"Director of Information Technology"

By order and in the name of the Governor of Goa.

*Shashank Thakur*, Under Secretary (Personnel-II).  
Porvorim, 10th May, 2017.

## Department of Public Health

### Order

No. 31/11/2005-I/PHD/732

Read: Order No. 31/11/2005-I/PHD dated 30-11-2012.  
Order No. 31/11/2005-I/PHD dated 17-01-2014.  
Order No. 31/11/2005-I/PHD dated 17-01-2014.  
Order No. 31/11/2005-I/PHD dated 13-10-2016.  
Order No. 31/11/2005-I/PHD dated 30-11-2012.  
Order No. 31/11/2005-I/PHD dated 13-10-2016.  
Order No. Misc/1/2010-I/PHD/PF III dated 13-03-2013.  
Order No. Misc/1/2010-I/PHD/PF III dated 13-03-2013.

Order No. Misc/1/2010-I/PHD/PF III dated 13-03-2013.

Order No. 31/11/2005-I/PHD dated 30-11-2012.

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Order No. 31/11/2005-I/PHD dated 30-10-2016.

Order No. 31/11/2005-I/PHD dated 30-10-2016.

Order No. 31/11/2005-I/PHD dated 30-10-2016.

The Hospital Visiting Committees constituted for all Hospitals, Community Health Centres, Primary Health Centres under Directorate of Health Services vide Government orders referred to above, stand dissolved with immediate effect.

By order and in the name of the Governor of Goa.

*Maria Seomara Desouza*, Under Secretary (Health-II).

Porvorim, 5th May, 2017.

### Department of Public Works

Office of the Principal Chief Engineer

#### Corrigendum

No. 34/3/2017/PCE-PWD-ADM(II)/26

Read: Order No. 34/3/2016/PCE-PWD-ADM(II)/209 dated 12-12-2016.

In the 3rd and 4th lines of 4th para of the order read at preamble, the words "He shall draw his pay and allowances against the vacant post of Superintending Engineer, SIDCGL, Panaji" may be

read as "He shall draw his pay and allowances/ /Tours against the vacant post of Chief Engineer (NHRB), PWD, Altinho, Panaji".

The rest of the contents remain unchanged.

This is issued in supersession of the earlier Corrigendum No. 34/3/2017/PCE-PWD-ADM(II)/257 dated 27-03-2017.

By order and in the name of the Governor of Goa.

*Uttam P. Parsekar*, Principal Chief Engineer & ex officio Addl. Secretary (PWD).

Panaji, 4th May, 2017.

### Department of Revenue

#### Order

No. 14/27/2014-RD/790

Whereas, the Government vide Notification No. 14/27/2014-RD dated 20-12-2016 pre-published the draft Goa Land Revenue (Disposal of Government Lands) (Eight Amendment) Rules, 2016 (hereinafter referred to as "said draft Rules") in the Official Gazette, Series I No. 38 dated 22-12-2016 and invited objections and suggestions to the said Draft Rules;

And whereas, the Secretary to the Government of Goa, Revenue Department, has received various objections and suggestions to the said Draft Rules;

And whereas, in order to examine the said objections and suggestions, the Government has decided to constitute the following Committee consisting of following members:-

- 1) Hon'ble Revenue Minister — Chairman.
- 2) Shri N. D. Agarwal, — Member.  
Ex-Collector
- 3) Shri Tulshidas Naik, — Member.  
Jt. Director of Accounts

The above committee shall complete the scrutiny of all the objections and suggestions and submit its report to Hon'ble Chief Minister within 30 days from the date of this order.

By order and in the name of the Governor of Goa.

*Sudin A. Natu*, Under Secretary (Revenue-I).

Porvorim, 15th May, 2017.



## Department of Town &amp; Country Planning

## Notification

No. 4-5-2-84/UDD/TCP/pt/2012-17/1353

In exercise of the powers conferred by sub-sections (1) and (3) of Section 20 of the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975), read with Rule 3 of the Goa, Daman and Diu Town and Country Planning (Planning and Development Authorities) Rules, 1977 and in supersession of the Government Notification No. 4-5-2-84-UDD/pt/TCP/2012-15/3157 dated 31-07-2015, published in the Official Gazette, Series II No. 19 dated 06-08-2015, the Government of Goa hereby re-constitutes in respect of the Panaji Planning Area and Mapusa Planning Area, declared as such vide Government Notification No. 4-5-2-84-UDD(Part)/05/2737 dated 27-9-2005, published in the Official Gazette, Extraordinary No. 3, Series I No. 25 dated 27-09-2005 read with the subsequent Government Notification No. 4-5-2-84-UDD(Part)/06/31 dated 03-01-2006, published in the Extraordinary Official Gazette, Series I No. 39 dated 03-01-2006, the Government Notification No. 4-5-2-84-UDD/Pt/TCP/2012-15/4928 dated 9-12-2015, published in the Official Gazette, Series I No. 38 dated 17-12-2015, and the Calangute-Candolim Planning Area declared as such vide the Government Notification No. 4-5-2-84-UDD/pt/TCP/15/60 dated 08-01-2015, published in the Official Gazette, Series II No. 42 dated 15-01-2015 and subsequently amended vide the Government Notification No. 4-5-2-84-UDD/Pt/Tcp/2016/4297 dated 18-10-2016, published in the Official Gazette, Series II No. 29 dated 20-10-2016, an authority to be called the North Goa Planning and Development Authority, consisting of the following members, namely:-

- 1) Shri Michael Lobo, — Chairman.  
Hon'ble MLA, Calangute
- 2) Shri Francis D'Souza, — Member.  
Hon'ble MLA, Mapusa
- 3) Shri Sidharth S. Kuncalienkar, — Member.  
Hon'ble MLA, Panaji
- 4) Smt. Jeniffer Monserratte, — Member.  
Hon'ble MLA, Taleigao
- 5) Shri Glen Ticolo, — Member.  
Hon'ble MLA, Aldona
- 6) Chairperson of Mapusa — Member.  
Municipal Council
- 7) Shri Deepak Mhapsekar, — Member.  
Ex. Corporator CCP

- 8) Shri Shubham Chodankar, — Member.  
Corporator CCP
- 9) Shri Menino D'Cruz, — Member.  
Corporator CCP
- 10) Shri Dattaprasad Murari — Member.  
Dabholkar
- 11) Town Planning Officer — Member  
Secretary.

By order and in the name of the Governor of Goa.

Dr. S. T. Puttaraju, Chief Town Planner & ex officio Joint Secretary.

Panaji, 10th May, 2017.

## Department of Water Resources

Office of the Chief Engineer

## Order

No. 3/25-15/90/WR/145

Read: Government Order No. 3/25-15/90/WR/76 dated 29-04-2015.

Government is pleased to extend the ad hoc promotion of Shri Manguesh D. Sathe, Assistant Engineer (Civil) in Water Resources Department for the interim period of 11 months and 05 days w.e.f. 29-04-2016 to 05-04-2017, as the Officer is promoted on regular basis w.e.f. 06-04-2017 vide Order No. 3/25-5/87/WR/41 dated 06-04-2017.

This is issued with the approval of Goa Public Service Commission conveyed vide their letter No. COM/II/11/27(2)/2016/73 dated 21-04-2017.

By order and in the name of the Governor of Goa.

P. J. Kamat, Chief Engineer & ex officio Addl. Secretary (WR).

Porvorim, 9th May, 2017.

## Order

No. 3/25-15/90/WR/171

On the recommendation of the Goa Public Service Commission as conveyed vide confidential letter No. COM/II/11/27(1)/2016/619 dated 03-05-2017, Government is pleased to order the promotion of the following Assistant Engineer to the post of Executive Engineer in Water Resources Department on regular basis in the pay Level 11

with immediate effect and post him against the place indicated below:-

Sr. No.	Name and designation	Place of posting on promotion
1.	Shri Ramdas K. Naik, Executive Engineer	Office of the Executive Engineer, Works Division-III, WRD, Ponda-Goa.

The Official at Serial Number 1 shall be on probation for a period of two years as specified in column No. 9 of the Recruitment Rules notified in the Official Gazette, Extraordinary, Series I No. 28 dated 11-10-2001.

By order and in the name of the Governor of Goa.

*P. J. Kamat*, Chief Engineer (WR).

Porvorim, 11th May, 2017.



### Department of Women & Child Development

Directorate of Women & Child Development

#### Notification

No. 2-103(128)-2017/DWCD/HLC/632

In exercise of the powers conferred by Section 16 (2) of the Juvenile Justice (Care and Protection) Act, 2015, the Government of Goa hereby constitutes the High Level Committee to review the pendency of the cases of the Juvenile

Justice Board (North and South Goa) every six months, consisting of the following members:-

- |   |                     |
|---|---------------------|
| 1. Executive Chairpersons of the Goa State Legal Services Authority, Panaji-Goa | — Chairperson.      |
| 2. Secretary (Home), Secretariat, Porvorim                                      | — Member.           |
| 3. Secretary (Women & Child Development), Secretariat, Porvorim                 | — Member.           |
| 4. Director, Stop Child Abuse Now (Non Government Organisation), Panaji         | — Member.           |
| 5. Member, Juvenile Justice Board (North Goa), Apna Ghar, Mercas-Goa            | — Member.           |
| 6. Member, Juvenile Justice Board (South Goa), Apna Ghar, Mercas-Goa            | — Member.           |
| 7. Dy. Director (Apna Ghar), Apna Ghar, Mercas-Goa                              | — Member Secretary. |

The above constituted committee shall monitor the number of cases pending before the Board, duration of such pendency, nature of pendency and reasons thereof every six months.

The tenure of the above committee will be for three years from the date of its constitution.

By order and in the name of the Governor of Goa.

*S.V. Naik*, Director & ex officio Joint Secretary (W&CD).

Panaji, 9th May, 2017.

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